

Item 5
Appendix 1 – Sample Case Studies

COMPLAINTS CASE STUDY

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| ISSUE NATURE: | Development Control |
| KEY ISSUE: | Ignoring a resident's representations regarding a planning application |

Comment [T]: Detail the Issue Nature – e.g. Council Tax

Comment [T]: A very brief heading detailing the complaint issue

THE COMPLAINT

Issue 1

The complainant raised concerns that the Council have ignored all representations he has submitted in relation to his neighbours planning application. The complaint alleged that the Council have ignored:

1. A letter sent in during February addressed to the Case Officer, where objections were raised and he also asked for the application to go before Planning Committee.
2. A follow up email in March to the Case Officer. This email asked questions as to why no response had been received to the February letter. He also raised concerns that the application has now been approved even though he requested that the application should go via the planning committee.
3. A further email sent in during April to Development Control and the Case Officer.

Issue 2

The complainant raised concerns that the Planning Department have confirmed to him that the Case Officer contacted him in advance of the application approval date to discuss the call in procedures, when this was not the case.

The complainant also confirmed that his first conversation with the Case Officer was on the 24th March (after approval was granted) and this was supported by his telephone records. The complainant was concerned that he was not informed of how members of the public can request applications to be discussed at Planning Committee, when he clearly raised objections back in February (and requested that this application goes via Planning Committee). He was of the view that if he was advised of the call in process, then he would have followed this in order for his representations to be heard in front of the Committee.

THE FINDINGS

An independent investigation took place at stage 3 of the Council complaints process.

Issue 1

The Case Officer was of the view that the Planning Department did not have to respond to the enquiries received, as we had previously sent a letter on the 1st February 2011. This letter confirmed that *“Due to the number of letters received we are unable to respond in writing on an individual basis to letters of representation”*.

However the stage 3 findings confirmed that to rely on a letter sent to the consultees in February, as a means to not respond to enquiries is unacceptable. It was clear in the complainant’s letter in February that he had requested this application to go in front of Planning Committee and to ignore this request was a failing on behalf of the Department.

Issue 2

Planning were of the view that the Case Officer has had at least 2 telephone conversations with the complainant in advance of approval decision, however Planning confirmed that they have no records of this.

As part of the stage 3 investigation the Case Officer was interviewed who confirmed that they can recall telephoning the complainant in advance of the application approval on more than one occasion. The Case Officer confirmed that during these calls, the complainant was advised that he could contact his Councillor to call this application in. No records of these conversations were evidenced on the system.

As part of the stage 3 investigation telephone logs were checked, and there is no evidence to prove that the Case Officer contacted the complainant in advance of the application approval. With this in mind it was the Information Manager’s view that the call did not take place, unless the Case Officer called from a line/phone not linked to our telephone network.

Summary of findings;

The stage 3 has confirmed that the handling of this case has been poor due to.

- A lack of response to the communications sent in has potentially prevented the complainant from raising his representations via Planning Committee.
- The record keeping arrangements within Planning have not been robust, and there will be learning for the Council regarding this complaint.

THE LEARNING

The Council need to learn from this case. It has been agreed that:

- Key issues raised by residents/consultees/objectors regarding planning applications will always be responded to.
- Additional information will be made available to objectors and consultees that clearly explain the call in procedures.
- Case Officers must provide documented notes/records of telephone conversations going forward.

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| ISSUE NATURE: | Bookings at Thameside Theatre |
| KEY ISSUE: | A booking made with the theatre was subsequently cancelled |

THE COMPLAINT

The complainant, a member of an amateur company, placed a booking with the Council to use the theatre. The complainant states that at the time of the booking it was confirmed and she was advised that a booking form would issued in due course.

The complainant then received a telephone call some months later advising that the booking had been cancelled and that another company had taken precedence over the dates in question.

The complainant was upset about this and felt that she had not been treated fairly and was of the view that no apology had been given for the inconvenience she had been caused.

THE FINDINGS

The independent investigation into this complaint concluded that the issue regarding the cancellation of the booking was not addressed within the previous complaint response. It also failed to include any comment regarding the booking/hiring process of the theatre.

The investigation did conclude that the dates that the complainant had requested had already been booked by another company, and as this booking was actually taken in advance of the complainant's booking this is why the cancellation occurred.

THE LEARNING

Following the independent investigation a number of learning points were recommended:

- A policy document to be produced explaining the booking process regarding the hiring of the Theatre and for this to be made available on the Council webpage
- The Council webpage entitled 'Hiring the Theatre' needs to be updated
- A review of the way in which bookings are recorded is carried out in order to prevent a similar occurrence in the future

COMPLAINTS CASE STUDY

| | |
|----------------------|---------------------------|
| ISSUE NATURE: | Housing |
| KEY ISSUE: | Contractor's appointments |

INTRODUCTION / BACKGROUND

The complainant initially raised a complaint regarding mould in her property back in February 2011. An inspector called and prepared a report which identified that a lot of work was required. The complainant stated that in March 2011 she returned home to find a note to say that plasterers had visited the property to undertake some repairs but that the complainant was not at home. The complainant contacted the number on the note the following day to be informed that they would call her later to arrange another appointment. Unfortunately, this did not happen.

The complainant stated that she waited and waited but nothing happened and as she was so frustrated she contacted the Council again in June 2011 to be advised that her repair had been closed down on the Council's system because she was not at home when the initial visit took place.

WHAT HAPPENED

An investigation was undertaken by the Repairs Services Manager who confirmed that the job had been closed down on the Council's system. An apology was extended to the complainant for the fact that the Council's appointed contractor failed to contact the complainant again to make a further appointment.

The matter was escalated to the Council's appointed contractors who subsequently contacted the complainant to make a mutually convenient appointment in order to complete the necessary repairs.

CONCLUSION

As a result of this complaint the repairs service have raised the issue of

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Comment [T]: Describe the problem in detail, this should include a brief overall description which summarises the main feature of the complaint

Comment [T]: Please detail what the complaint investigation found; this should be a short narrative on how we dealt with the complaint and what the outcome was. You may also want to include relevant policy details and include appropriate implications

Comment [T]: The conclusion MUST include the learning for the Council, this must be REAL learning that as an officer you are satisfied has or will be actioned

appointments with the appointed contractors, to ensure that all missed appointments are followed up in line with the necessary procedures so that repeated complaints of this type are no longer received and that complainants are not subject to further, unnecessary delays.